

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

First Mode Holding Inc., et al.,¹

Debtors.

Chapter 11

Case No. 24-12794 (KBO)

(Jointly Administered)

**NOTICE OF APPEARANCE AND
REQUEST FOR SERVICE OF NOTICES AND PAPERS**

PLEASE TAKE NOTICE that, pursuant to Section 1109(b) of Title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”) and Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), the undersigned hereby enter their appearance in the above-captioned chapter 11 case on behalf of ABB Inc. and request that all notices given or required to be given and all papers served in these cases be delivered to and served upon the parties identified below at the following addresses:

ROBINSON & COLE LLP

Patrick M. Birney
666 Third Avenue
Chrysler East Building, 20th Floor
New York, NY, 10017
212.451.2900
E-mail: pbirney@rc.com

ROBINSON & COLE LLP

Katherine S. Dute
1201 N. Market Street, Suite 1406
Wilmington, Delaware 19801
Tel: (302) 516-1706
Fax: (302) 516-1699
Email: kdute@rc.com

PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code and Bankruptcy Rule 3017(a), the foregoing demand includes not only the

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: First Mode Holdings, Inc. (7177), and Synchronous LLC (1829). The Debtors’ mailing address is 3417 1st Ave S, Seattle, WA, 98134.

notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, any order and notice of any application, motion, petition, pleading, request, complaint, or demand, whether former or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, telegraph, telex, overnight carrier, facsimile transmission, email, or otherwise filed or made with regard to the above-captioned cases and proceedings therein.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance and Request for Service of Papers nor any later appearance, pleading, claim or suit shall constitute a waiver of (i) the right to contest the subject matter or personal jurisdiction of this Court; (ii) the right to seek abstention or withdraw of any matter arising in this proceeding; (iii) the right to have final orders in non-core matters entered only after de novo review by a District Court Judge; (iv) the right to trial by jury in any proceeding related to, or triable in, this case or any cases, controversy or proceeding related hereto; (v) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; (vi) the right to enforce any contractual provisions with respect to arbitration or (vii) any other rights, claims, actions, defenses, setoffs or recoupments as appropriate to which ABB Inc is or may be entitled to under any agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

[Signature Page Follows]

Date: January 30, 2025

Robinson & Cole LLP

/s/ Katherine S. Dute
Katherine S. Dute (No. 6788)
1201 North Market Street
Suite 1406
Wilmington, DE 19801
Telephone: (302) 516-1706
E-mail: kdute@rc.com

-and-

Patrick M. Birney (*pro hac vice* pending)
666 Third Avenue
Chrysler East Building, 20th Floor
New York, NY, 10017
212.451.2900
E-mail: pbirney@rc.com